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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT FAIRBANKS

ROBERT PROBERT and LORETTA E. )  
PROBERT, and others similarly situated, )

Plaintiffs, )

vs. )

FAMILY CENTERED SERVICES OF )  
ALASKA, INC. )

Defendants. )

Case No.: 4:07-CV-00030 RRB

**ORDER DENYING PLAINTIFFS' FIRST MOTION  
FOR PARTIAL SUMMARY JUDGMENT**

Based on the first motion for partial summary judgment of the plaintiffs, Robert and Loretta Probert, and the opposition, with supporting affidavit, of the defendant, Family Centered Services of Alaska, Inc., and any reply thereto, and this Court being fully informed as to the premises therein;

This Court finds that the Proberts have failed to carry their burden of proving each element of their claims, the absence of any genuine factual disputes, and affirmatively demonstrating that no reasonable jury could find against them and they are entitled to summary judgment beyond a reasonable doubt.

Consequently, this Court orders that the Proberts' first motion for partial summary judgment is DENIED.

**DATED** at Fairbanks, Alaska this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
United States District Court Judge

CERTIFICATE OF SERVICE

This certifies that a copy of the foregoing will be electronically served simultaneous with filing to the following attorneys and/or parties of record:

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*Probert v. FCSA, 4:07-CV-00030 RRB*  
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